

Congress of the United States
Washington, DC 20510

December 3, 2009

The Honorable Barack Obama
The President
The White House
Washington, D.C. 20500

Dear Mr. President:

Thank you for hosting a White House forum on promoting job growth and economic development with some of our nation's leading economic, business, and labor experts. With unemployed workers in the United States facing a double digit unemployment rate, the highest rate since 1983, this forum could not come at a more critical time for our nation's workforce. We need to do all we can to promote fiscally responsible federal policies that support the creation of American jobs to help get the unemployed and underemployed back to work. To maximize the benefit of such policies for American workers, we urge you to include strong and effective Buy American and domestic sourcing requirements in any legislative proposals developed by your administration in response to this jobs forum.

The primary goal of any future jobs bill should be to create or preserve jobs here in the United States. Many unemployed American workers are currently facing persistently long periods of unemployment; data from the Department of Labor showed that in October of this year, over thirty-five percent of unemployed workers had been without jobs for at least twenty-seven weeks. Since December of 2007, the number of unemployed workers in the United States has grown by over eight million, with manufacturing and construction workers being particularly hard hit.

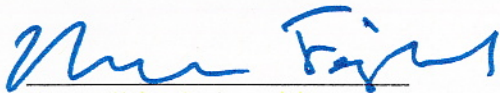
During another period of economic upheaval in the 1930s, Congress passed a series of laws designed to promote job growth in the U.S., including the Buy American Act of 1933 (41 U.S.C. §10a-10d). The Buy American Act requires the federal government to support domestic manufacturers and workers by purchasing American-made goods. Over the years, other domestic sourcing legislation has been passed to help support American industry, including the Buy America Act (23 U.S.C. §313), which applies to federal transportation funding. In addition, Congress included domestic sourcing requirements in the American Recovery and

Reinvestment Act (P.L. 111-5) earlier this year because it recognized the importance of supporting American workers and American industry. The federal government should renew its commitment to supporting American industry by including strong domestic sourcing provisions in any future jobs bill.

In addition to including Buy American or other domestic sourcing provisions in any jobs bill, we also encourage you to ensure these provisions are drafted in such a manner to ensure they are effective and cannot be easily circumvented. As you know, the Buy American Act can be waived by federal agencies for a variety of reasons including if the law's application would be inconsistent with the public interest or if materials are not manufactured in sufficient quantity in the United States. Similar waiver provisions were included in the ARRA Buy American provision (P.L. 115-5, §1605). While there should be a reasonable waiver process included in domestic sourcing provisions to address situations where American-made goods may not be available or are prohibitively expensive, there are so many loopholes in the Buy American Act that much of the law's strength has been diluted. We will continue to work to close these loopholes and we hope that your administration will also seek to address these implementation problems in any domestic sourcing provisions included in possible jobs-related legislation.

Thank you for your consideration of this request. We look forward to working with you to include strong and effective Buy American and domestic sourcing provisions in any jobs-related legislation moving through Congress in the coming weeks and months.

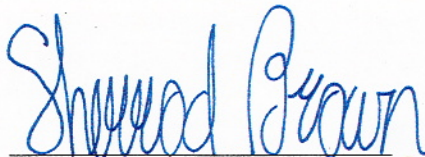
Sincerely,



Russell D. Feingold
United States Senator



Daniel Lipinski
Member of Congress



Sherrod Brown
United States Senator

Steve Cohen TN 9

Mike Schaner MI-7

Phil Han IL 17

Paul Snyder MI-1

Bill Pasarely NJ 8

Robert F. Elder MD-4

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Barry Thurman

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